

Message Text

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PAGE 01 STATE 207969
ORIGIN IO-14

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L/UNA:DSTEWART (DRAFT)
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FM SECSTATE WASHDC
TO AMEMBASSY DAR ES SALAAM

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E.O. 11652: N/A

TAGS: AORG

SUBJECT: PRIVILEGES AND IMMUNITIES OF INTERNATIONAL
ORGANIZATIONS PERSONNEL

REF: DAR ES SALAAM 2992

1. U.S. NATIONALS SERVING AS EMPLOYEES OR OFFICIALS OF
INTERNATIONAL ORGANIZATIONS HEADQUARTERED IN THE U.S.
RECEIVE ONLY THOSE PRIVILEGES AND IMMUNITIES PERMITTED
UNDER THE CONVENTION ON PRIVILEGES AND IMMUNITIES OF THE
UN AND THE INTERNATIONAL ORGANIZATIONS IMMUNITIES ACT
(PUBLIC LAW 291-79TH CONGRESS).

2. IN RATIFYING THE UN CONVENTION ON PRIVILEGES AND
IMMUNITIES, THE USG MADE SEVERAL RESERVATIONS, INCLUDING
THAT U.S. NATIONALS AND PERMANENT RESIDENTS WILL NOT
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RECEIVE THE EXEMPTIONS FROM TAXATION AND NATIONAL SER-
VICE OBLIGATIONS PROVIDED BY ARTICLE 5, SECTION 18 OF
THE CONVENTION. IN ADDITION, INTERNATIONAL ORGANIZATION
IMMUNITIES ACT PROVIDES NO EXEMPTION TO U.S. NATIONALS
WITH REGARD TO LAWS REGULATING ENTRY INTO AND DEPARTURE
FROM U.S., BUT DOES PROVIDE IMMUNITY FROM CIVIL AND
CRIMINAL PROCESS WITH RESPECT TO OFFICIAL ACTS ONLY.

3. IN CONNECTION WITH THE TAXING OF U.S. NATIONALS, THE UN ESTABLISHED A TAX EQUALIZATION FUND IN WHICH A LEVY IS PLACED ON ALL UN EMPLOYEES. MONEYS FROM THE LEVY ARE PLACED IN THE FUND THEN PRO-RATED TO ALL GOVERNMENTS ACCORDING TO THEIR RESPECTIVE SCALE OF ASSESSMENT. FOR THE U.S., THE EQUITY IS USED TO RE-IMBURSE AMERICAN EMPLOYEES FOR THE INCOME TAX THEY HAVE HAD TO PAY.

4. AT UN HEADQUARTERS DPL TAGS ARE GRANTED TO U.S. NATIONALS AT THE UNDER SECRETARY AND ASSISTANT LEVEL AS A COURTESY BY NY AUTHORITIES. FYI: IT HAS BEEN THE U.S. POSITION, WITH WHICH UN SECRETARIAT TAKES ISSUE, THAT ARTICLE 5, SECTION 19 OF THE CONVENTION DOES NOT CONFER FULL RANGE OF DIPLOMATIC PRIVILEGES AND IMMUNITIES ON U.S. NATIONALS AT OR ABOVE ASSISTANT SECRETARY LEVEL, I.E., THAT IT DOES NOT ACCORD TAX OR CUSTOMS PRIVILEGES OR IMMUNITY FROM CIVIL OR CRIMINAL PROCESS EXCEPT WITH RESPECT TO OFFICIAL ACTS. END FYI.

CHRISTOPHER

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Sent Date: 31-Aug-1977 12:00:00 am
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Disposition Approved on Date:
Disposition Case Number: n/a
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